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Paper No.

Application No.:	09/889,645	Date Mailed:	2011-12-09
First Named Inventor:	Welch, Anne, Gillian	Examiner:	BOESEN, AGNIESZKA
Attorney Docket No.:	9013.31	Art Unit:	1648
Confirmation No.:	8639	Filing Date:	2002-01-24

Please find attached an Office communication concerning this application or proceeding.

NOTICE OF IMPROPER REQUEST FOR CONTINUED EXAMINATION (RCE) Application No. 09/889,645 WELCH ET AL. Art Unit 1600 Date Mailed:

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The request for continued examination (RCE) under 37 CFR 1.114 filed on <u>07 December, 2011</u> is improper for reason(s) indicated below:							
	Continued examination under 37 CFR 1.114 does not apply to an application for a design patent. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(d). An RCE cannot be treated as a CPA.						
	Continued examination under 37 CFR 1.114 does not apply to an application that was filed before June 8, 1995. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b).						
\boxtimes	Continued examination under 37 CFR 1.114 does not apply to an application unless prosecution in the application is closed. If the RCE was accompanied by a reply to a non-final Office action, the reply will be entered and considered under 37 CFR 1.111. If the RCE was <u>not</u> accompanied by a reply, the time period set forth in the last Office action continues to run from the mailing date of that action.						
	The request was not filed before payment of the issue fee, and no petition under 37 CFR 1.313 was granted. If this application has not yet issued as a patent, applicant may wish to consider filing either a petition under 37 CFR 1.313 to withdraw this application from issue, or a continuing application under 37 CFR 1.53(b).						
	The request was not filed before abandonment of the application. The application was abandoned, or proceedings terminated on Applicant may wish to consider filing a petition under 37 CFR 1.137 to revive this abandoned application.						
	The request was not accompanied by the fee set forth in 37 CFR 1.17(e) as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.						
The request was not accompanied by a submission as required by 37 CFR 1.114. Since theapplication is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.							
Note: A continued prosecution application (CPA) under 37 CFR 1.53(d) <u>cannot</u> be filed in a utility or plant application. A CPA filed in a utility or plant application that has a filing date on or after June 8, 1995 will be treated as an RCE under 37 CFR 1.114. The request for a CPA in the instant application, however, has been treated as an improper RCE for the reason(s) indicated above.							
A copy of this Notice MUST be returned with the reply.							
Direct any questions concerning this notice to							
	// INIDA / // INIDA / // Taabaadaa Oaal	1000					
/LINDA HUMES/, Technology Center 1600							
Telephone Number: <u>(571)272-0530</u>							
		Continued examination under 37 CFR 1.114 does not ap wish to consider filing a continuing application under 37 Cannot be treated as a CPA. Continued examination under 37 CFR 1.114 does not ap Applicant may wish to consider filing a continuing application applicant may wish to consider filing a continuing application continued examination under 37 CFR 1.114 does not ap is closed. If the RCE was accompanied by a reply to a reconsidered under 37 CFR 1.111. If the RCE was not accompanied by a reply to a reconsidered under 37 CFR 1.111. If the RCE was not accompanied by a reply to a reconsidered under 37 CFR 1.111. If the RCE was not accompanied by a reply to a reconsidered under 37 CFR 1.111. If the RCE was not accompanied of the issue feethis application has not yet issued as a patent, applicant 1.313 to withdraw this application from issue, or a continuing the request was not filed before abandonment of the approceedings terminated on Applicant may wish to this abandoned application. The request was not accompanied by the fee set forth in 1.114. Since the application is not under appeal, the time allowance continues to run from the mailing date of that a land allowance continues to run from the mailing date of that a same accompanied by a submission as refunder appeal, the time period set forth in the final Office and allowance continued prosecution application (CPA) under 37 CFR at filed in a utility or plant application that has a filing date on calculation and accompanied by a submission as refunder appeal, the time period set forth in the final Office and the set and the set and the instant application, however, included prosecution application that has a filing date on calculation and the set and questions concerning this notice to	Continued examination under 37 CFR 1.114 does not apply to an application for a wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under cannot be treated as a CPA. Continued examination under 37 CFR 1.114 does not apply to an application that Applicant may wish to consider filling a continuing application under 37 CFR 1.53(t). Continued examination under 37 CFR 1.114 does not apply to an application unler is closed. If the RCE was accompanied by a reply to a non-final Office action, the considered under 37 CFR 1.111. If the RCE was not accompanied by a reply to a non-final Office action, the considered under 37 CFR 1.111. If the RCE was not accompanied by a reply, the Office action continues to run from the mailing date of that action. The request was not filed before payment of the issue fee, and no petition under 37 this application has not yet issued as a patent, applicant may wish to consider filing 1.313 to withdraw this application from issue, or a continuing application under 37 the request was not filed before abandonment of the application. The application proceedings terminated on Applicant may wish to consider filing a petition this abandoned application. The request was not accompanied by the fee set forth in 37 CFR 1.17(e) as required 1.114. Since the application is not under appeal, the time period set forth in the final allowance continues to run from the mailing date of that action or notice. The request was not accompanied by a submission as required by 37 CFR 1.114. under appeal, the time period set forth in the final Office action or notice of allowarm alling date of that action or notice. Example 1.114. The request for a CPA in the instant application, however, has been treated a con(s) indicated above. Acopy of this Notice MUST be returned with the reject any questions concerning this notice to	 □ Continued examination under 37 CFR 1.114 does not apply to an application for a design patent. Ap wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(c) cannot be treated as a CPA. □ Continued examination under 37 CFR 1.114 does not apply to an application that was filed before J Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b). □ Continued examination under 37 CFR 1.114 does not apply to an application unless prosecution in the sic closed. If the RCE was accompanied by a reply to a non-final Office action, the reply will be enter considered under 37 CFR 1.111. If the RCE was not accompanied by a reply, the time period set for Office action continues to run from the mailing date of that action. □ The request was not filed before payment of the issue fee, and no petition under 37 CFR 1.313 was this application has not yet issued as a patent, applicant may wish to consider filing either a petition 1.313 to withdraw this application from issue, or a continuing application under 37 CFR 1.53(b). □ The request was not filed before abandonment of the application. The application was abandoned, proceedings terminated on Applicant may wish to consider filing a petition under 37 CFR 1. this abandoned application. □ The request was not accompanied by the fee set forth in 37 CFR 1.17(e) as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice. □ The request was not accompanied by a submission as required by 37 CFR 1.114. Since the application application from the mailing date of that action or notice of allowance continues to run from the mailing date of that action or notice. □ The request was not accompanied by a submission as required by 37 CFR 1.114. Since the application from the mailing date of that action or notice. □ A continued prose			